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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/1/2008	.	
	.	
	.	

1 The Committee on Commerce (Saunders) recommended the following
 2 **amendment:**

3
 4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
 6 and insert:

7 Section 1. Section 288.1087, Florida Statutes, is created
 8 to read:

9 288.1087 The Space and Aerospace Catalyst and Enhancement
 10 Act.--

11 (1) (a) The Legislature finds that attracting, retaining,
 12 partnering with, and providing favorable conditions for space and
 13 aerospace entrepreneurial endeavors can provide widespread
 14 economic benefit to the state. State investment in the space and
 15 aerospace industry can help provide high-quality employment
 16 opportunities for residents of this state, increase the overall
 17 tax base, invigorate the state's entrepreneurial climate through
 18 the resulting business and employment opportunities, and
 19 stimulate and enhance the state's universities and community
 20 colleges. The Legislature also finds that in the global economy
 21 there exists international competition for space and aerospace
 22 infrastructure, facilities, and business opportunities, and in

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23 most instances, when all available resources for economic
24 development have been used, the state encounters competitive
25 disadvantages. Further, the Legislature finds that business
26 incentives help create a competitive environment for aerospace
27 and space business. This often requires an incentive to make it
28 feasible for private investors to provide infrastructure in those
29 areas.

30 (b) The Legislature, therefore, declares that sufficient
31 resources should be made available to respond to extraordinary
32 economic opportunities in the space and aerospace business
33 sectors, to address the need for space and aerospace business
34 facilities and infrastructure, and to compete for key space and
35 aerospace businesses interested in entering into partnerships
36 with the state.

37 (2) There is created in the Office of Tourism, Trade, and
38 Economic Development the Space and Aerospace Catalyst and
39 Enhancement Program to be available for use by Space Florida. The
40 moneys from the fund, which will be distributed to Space Florida
41 once certain conditions are met, shall be used to provide or
42 upgrade space-related infrastructure or business facilities, and
43 to compete for key space- and aerospace-associated businesses
44 interested in entering into partnerships with the state.

45 (3) Space Florida shall submit the following information on
46 its proposed infrastructure projects to the office for its
47 initial review. The information must include:

48 (a) A description of the type of space and aerospace
49 infrastructure project, its operations, and the associated
50 product or services associated with the facility.

51 (b) The number of full-time equivalent jobs that will be
52 created by the space and aerospace infrastructure project, the



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53 total estimated average annual wages of those jobs, and the types
54 of business activities and jobs stimulated by the investment.

55 (c) The cumulative amount of investment of public and, if
56 applicable, private funds that will be dedicated to the project
57 within a specified period.

58 (d) A description of the stimulating effect the project is
59 expected to have on a particular business sector in the state or
60 regional economy or on the state's universities and community
61 colleges.

62 (e) A statement of how the public investment is expected to
63 affect the decision of the applicant's business to locate or
64 expand in this state.

65 (f) In those instances where Space Florida is entering into
66 a public-private partnership with a space-related business
67 entity, a financial analysis of the project company, including an
68 evaluation of the company's short-term liquidity ratio as
69 measured by its assets to liability, the company's profitability
70 ratio, the company's long-term solvency as measured by its debt-
71 to-equity ratio, and the company's most recent financial audit
72 statement and the related auditor's management letter.

73 (4) The office of Tourism, Trade, and Economic Development
74 shall contract with nationally recognized economists to develop
75 an economic impact assessment model that evaluates the costs,
76 benefits, useful life, and other relevant factors related to
77 space and aerospace infrastructure projects. The economic impact
78 assessment model must be available for use by Space Florida and
79 the Office of Tourism, Trade, and Economic Development no later
80 than December 31, 2008.

81 (5) Projects eligible to receive funds through the Space
82 and Aerospace Catalyst and Enhancement Program must:



83 (a) Assist Space Florida in carrying out its
84 responsibilities under part II of chapter 331;

85 (b) Create the potential for or retain existing high-
86 quality, high-salary jobs in the space or aerospace industry in
87 this state;

88 (c) Have a potential positive payback ratio of at least 5
89 to 1;

90 (d) Be an inducement to the project's location or expansion
91 in the state;

92 (e) Be supported by the local community in which the
93 project is to be located;

94 (f) If a public-private partnership, includes a match to
95 the state investment; and

96 (g) Have undergone the economic analysis in subsection (4).

97 (6) The Office of Tourism, Trade, and Economic Development
98 may waive these criteria based on extraordinary circumstances if
99 the project would significantly benefit the local or regional
100 economy.

101 (7) (a) After receiving the economic impact assessment, the
102 Space Florida executive board and the director of the Office of
103 Tourism, Trade, and Economic Development shall meet to recommend
104 approval or disapproval of each proposed project. For projects
105 recommended to receive funds, the board and director shall rank
106 each proposal in the order of its meeting the established
107 criteria. When recommending a project, Space Florida and the
108 director of the Office of Tourism, Trade, and Economic
109 Development must include proposed performance conditions that the
110 project must meet in order to obtain money from the fund.

111 (b) The recommendations shall be sent to the Governor who
112 shall further evaluate the projects approved for funding. The

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113 Governor shall consult with the President of the Senate and the
114 Speaker of the House of Representatives before giving final
115 approval for a project.

116 (c) The Executive Office of the Governor shall present the
117 recommended projects and funding request to the Legislative
118 Budget Commission, which shall conduct its review and release the
119 project funds pursuant to the legislative consultation and review
120 requirements set forth in s. 216.177. The recommendations must
121 include proposed performance conditions that each project is
122 expected to meet in order to receive funds.

123 (d) After receiving the required approvals, the director of
124 the Office of Tourism, Trade, and Economic Development and the
125 recipient shall enter into a contract that sets forth the
126 conditions for receiving moneys from the fund. The contract must
127 include the total amount of funds awarded, the performance
128 conditions that must be met in order to obtain the award, a
129 baseline of current service and a measure of enhanced capability,
130 the methodology for validating performance, the schedule of
131 payments from the fund, and sanctions for failure to meet
132 performance conditions. The contract must state that payment of
133 moneys from the Space and Aerospace Development Infrastructure
134 Enhancement Fund is contingent upon sufficient appropriation of
135 funds by the Legislature and upon sufficient release of
136 appropriated funds by the Legislative Budget Commission.

137 (8) Space Florida shall compile information about the
138 projects funded through the Space and Aerospace Catalyst and
139 Enhancement Program, and include the information in its annual
140 report.

141 Section 2. For the 2008-2009 fiscal year, the sum of \$15
142 million in nonrecurring funds is appropriated from the General



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143 Revenue Fund to the Space and Aerospace Catalyst and Enhancement
 144 Program in the Office of Tourism, Trade, and Economic Development
 145 for Space Florida for the purpose of implementing the provisions
 146 of this act. The funds shall be deposited in the Economic
 147 Development Trust Fund and withdrawn as approved.

148 Section 3. Space Mile Marker One designated; Space Florida
 149 to erect suitable markers.--

150 (1) Space Florida shall identify and designate an 18-inch
 151 by 18-inch square of land near the Space Florida headquarters
 152 building as "Space Mile Marker One."

153 (2) Space Florida is authorized to erect suitable markers
 154 designating Space Mile Marker One as described in subsection (1).

155 Section 4. This act shall take effect July 1, 2008.

156
 157

158 ===== T I T L E A M E N D M E N T =====

159 And the title is amended as follows:

160 Delete everything before the enacting clause
 161 and insert:

162 A bill to be entitled
 163 An act relating to A bill to be entitled
 164 An act relating to Space Florida; creating s. 288.1087,
 165 F.S.; providing legislative intent; creating the Space and
 166 Aerospace Catalyst and Enhancement Program in the Office
 167 of Tourism, Trade, and Economic Development; providing for
 168 moneys from the funds to be distributed to upgrade space-
 169 related infrastructure or to enter into partnerships with
 170 applicable businesses on space-related projects, requiring
 171 that certain information be provided to the Office of
 172 Tourism, Trade, and Economic Development; providing for a



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173 contract with nationally recognized economists to develop
174 an economic impact assessment model that evaluates the
175 costs, benefits, useful life, and other relevant factors
176 related to space and aerospace infrastructure projects or
177 business facilities, or to compete for businesses;
178 describing the criteria by which the proposals will be
179 judged as eligible to receive funding; requiring the
180 executive board of Space Florida and the director of the
181 Office of Tourism, Trade, and Economic Development to
182 recommend approval or disapproval of proposed projects;
183 providing for the Governor to decide which proposed
184 projects receive the funds; requiring certain contract
185 conditions; describing the content of the contract;
186 providing an appropriation; designating Space Mile Marker
187 One at the Space Florida headquarters; authorizing Space
188 Florida to erect suitable markers; providing an effective
189 date.